

PLANNING BOARD MEETING

Wednesday, December 1, 2021

6:00 PM

Council Chambers

300 West Crowell Street

Monroe, NC

- Item 1. Call to Order – Roll Call**
- Item 2. Approval of Minutes – Meeting of November 3, 2021**
- Item 3. Zoning Map and Text Amendment request from the Humane Society of Union County for the property located at 1404 E. Franklin Street from Office Transitional (OT) to Conditional District (CD) “1404 E. Franklin Street” further identified as Tax Parcel #09-194-018)**
- Item 4. Zoning Map and Text Amendment request for the property located along Fowler Secrest Road from R-40 (Residential Low-Density) to Conditional District (CD) “Blair Place” further identified as Tax ID #09-298-080**
- Item 5. Other**
- Item 6. Next Meeting: January 5, 2022**
- Item 7. Adjournment**

ATTENTION BOARD MEMBERS: Please contact Maryann Brown at 704.282.4527 or Lisa Stiwinter at 704.282.4569 to confirm your attendance. Thank you.

cc: Planning Staff
 Ashley Duncan
 Mujeeb Shah-Khan

PLANNING BOARD MEETING

November 3, 2021 @ 6:00 PM

City Hall – Council Chambers

300 W. Crowell Street, Monroe, NC

To Sheri Laney on November 4, 2021

Scheduled for adoption at the December 2021 meeting

Item 1. **Call to Order/Roll Call**

Chair MaryAnn Rasberry called the November 3, 2021 meeting to order at 6:00 p.m. Keri Mendler called the roll. Chair noted that a quorum was present.

Members Present: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr (ETJ member), Margaret Desio, Ken Deal, David Dotson and Archie Morgan (Alternate, who was filling in for a vacancy)

Members Absent: Richard Yercheck

Staff Present: Keri Mendler, Senior Planner; Ashley Britt, Assistant City Attorney and Maryann Brown, Administrative Assistant

Guests: See Attached Attendance List

Chair welcomed David Dotson, new Board Member. Mr. Dotson said he was in the Marine Corps for four (4) years and then started working at Charlotte Mecklenburg Police Department. He said he has been doing this for the last 20 years. He said hopefully he can serve the community through this capacity and learn from this and serve on some other committees as well. He said he lives in Fox Hunt Estates, behind Bob Mayberry.

Item 2. **Approval of Minutes of Meetings**

Motion: Renee Hartis made a motion to approve the minutes of the October 6, 2021 meeting.

Second: Jennifer Smith

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Item 3.

Zoning Map Amendment for the property located at the intersection of E. East Avenue and Stafford Street Extension and 2026 Skyway Drive further identified as Tax Parcels 09-180-004-90, 09-180-004-G, 09-180-004-H-80, and 09-180-004-H-90

Keri Mendler, Senior Planner, said tonight she will be presenting a zoning map amendment for the property located at the intersection of E. East Avenue and Stafford Street Extension. She said there is also a parcel located along Skyway Drive. She said the parcels are located along N. Sutherland Avenue and Stafford Street and E. East Avenue, which is the other side of Stafford Street. She said there is one parcel located along Skyway Drive. Keri said the applicant is requesting a General Rezoning from R-20 to GI (General Industrial). She said the properties to the north are currently zoned R-20. She said the properties to the east are zoned GI. She said properties to the south are zoned Residential and properties to the west are zoned Residential and a little bit of General Business.

Keri said the Future Land Use Plan does indicate this area is within the Community Corridor and the Manufacturing, Logistics, and Aerospace designation. She said the Community Corridor serves as the primary conduit to Downtown and the spine of the community with critical connections to major employers. She said for this reason, the area's design and performance is important to the entire community. She said the Community Corridor designation encourages a more unified approach to improving the area's physical environment and economic viability. She said commercial and office are priority uses within this Community Corridor character area.

Keri said the Manufacturing, Logistics, and Aerospace designation includes the City's existing base of industrial centers. She said these areas support manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage and utilities. She said Manufacturing, Logistics, and Aerospace areas are found near major transportation assets such as highway, rail, and/or air, and generally are buffered from surrounding development. She said commercial and office and industrial uses are also priority uses listed in this character area.

Keri said parcels 09-180-004H-80 and 09-180-004-H-90 are not consistent with the Land Development Plan because this area is projected as Community Corridor which is for industrial [she meant to say commercial]. She said, however, the vast majority is consistent since it is the Manufacturing, Logistics, and Aerospace designation.

Keri said the rezoning notification sign [will be posted] and an official rezoning notification letter will be sent to the adjacent property owners ten (10) days prior to the public hearing.

Keri said planning staff does recommend approval. She said as a reminder, this is a General Rezoning request. She said, therefore, there can be no conditions that can be placed on the rezoning. She said she would be happy to answer any questions. She said the applicant is here as well.

Chair asked if there were any questions for Keri.

Renee Hartis asked Keri what the applicant wants to rezone the property for. Keri said the rezoning is for industrial use. She said specifically, she is not sure. She said the applicant can answer this question but again, this is a General Rezoning. She said the applicant may provide additional information.

Keri said this is a General Rezoning to industrial and the applicant does not have to say a specific use. She said the Planning Board can make a recommendation for approval or denial.

Patrick Furr said this is a General Rezoning to industrial and there is R-20 all around it. Keri said there is R-20 to the north but there is some GI to the east. She said if this rezoning is approved, the applicant would still have to meet the Ordinance requirements for any future development. She said it is not a Conditional District so you cannot place any specific standards above and beyond the Ordinance requirements.

Margaret Desio said to Keri that she would like a list of everything that would be allowed in GI. She said the reason being is that everything we have here tonight is being rezoned to GI. She said this makes her think that in our new rezoning for the UDO, we must have expanded what you can do in GI. Keri said the new UDO was not adopted yet so we are still using the old UDO which would be manufacturing, distribution, assembly of goods and warehouse. She said that is basically what is allowed in GI.

Margaret Desio said if the property is rezoned to industrial, Stafford Street is a two (2)-lane street, East Avenue and Sutherland Avenue are two (2)-lane streets and if we have a lot of heavy industrial trucks, tractor trailers, etc., this is a concern to her. She said there is also a neighborhood here---Salem, Citrus, Windy Drive. She asked Keri if this was 161 acres. Keri said yes. Ms. Desio said to rezone that huge amount of property to GI and to not really know what the impact is going to be [because we don't know what is going to be there] on this neighborhood, she is concerned. She asked if we can have a list of things that are going to be allowed in GI. Keri said our current Ordinance is very cut and dry. She said it does not have an exhaustive list of individual uses. She said it basically lists manufacturing, distribution, assembly of goods, warehouse and obviously office.

Keri said as far as traffic concerns, obviously, whatever goes there will have to be routed through Engineering and NCDOT will play a part if there are any NCDOT roads. She said they would have to potentially bring the roads up to standard, depending on what the use is and depending on the amount of traffic counts. She said all of this would be sorted out whenever it is going to be developed. She said she does understand the concerns about residential. She said the Future Land Use Plan did save this property for industrial use of Manufacturing, Logistics, and Aerospace designation. She said this was done in 2018 for that type of use.

Margaret Desio said the property ends at the auction barn. She asked Keri if there has been any thought of maybe not doing the whole 161 acres and using the acreage in the back toward the auction barn as GI. She said then have a buffer zoning up to this neighborhood. Keri said this is something that can be addressed with the applicant.

Chair said to Keri if we approve this and the new zonings get approved by City Council between now and the time they start to develop, will they have to abide by the new zoning or will they use the old zoning. Keri said it would depend upon when permits are submitted. She said if the new code is adopted before the site is developed, then the applicant would go by the new code. She said if the permits are submitted before the new code is adopted, then the applicant would go by the current Ordinance that we have in place today.

Chair asked Keri if it is a use by right, which this is [Keri said if the rezoning is approved], then they can go and build whatever they want to and they do not have to do anything to the roads. Keri said NCDOT and City of Monroe still require improvements at times depending upon traffic counts. Chair said if it is a use by right, would they still have to do the traffic study. Keri said depending upon the use, yes. She said they are still going to have to get approval from NCDOT on what improvements are going to be required. She said improvements, access points and driveway permits will still have to get done with by-right development.

Chair asked Keri if she can tell us the difference between the new zoning and old zoning. Keri said in the new zoning map, we did apply the industrial zoning district to this parcel. She said as far as what is allowed there in the new code, we will have two (2) industrial districts. She said one is General Industrial, which is more of your light industrial, and would be your distribution or office warehouse. She said we also have Heavy Industrial, which we do not currently have in our zoning. She said this is more of your heavy, noxious-type uses.

Richard Ali asked Keri if what she is asking for this Board tonight is to approve General Industrial. Keri said yes, staff is recommending approval of a general rezoning from R-20 to General Industrial, without any conditions.

Ken Deal said as a point of discussion, currently it is R-20. He said the UDO could be revised many times between now and then. He said, in fact, he would even make the argument that this should remain R-20. He said if you look at the two (2) parcels separated by Stafford Street, our ideal sites for residential neighborhoods provide more than one (1) entryway options. He said one (1) even has waterfront possibilities on [could not understand] Lake. He said to rezone it to industrial now and write a blank check, doesn't make any sense to him.

Keri said an important thing to also note, if she is not mistaken, is the City of Monroe has also purchased this property here [she pointed to the screen] for a City-owned industrial park. She said this was from a past rezoning that had some townhomes adjacent to it as well. She said this was done with the thought of the 2018 Future Land Use Plan that slated this area in gray for the industrial character area.

Ken Deal said it would make a great park to support these neighborhoods.

Chair asked if there were any more questions. There were none. Chair then asked the owner or developer to come forward.

Ms. Brittany Lins of the law firm of Alexander Ricks came forward and said they are representing SunCap Property Group. She passed around a few copies of her presentation. She said staff did a good job of the overview but she added a few more highlights. She said they are pursuing the GI district for this area and will also pursue an annexation for this area. She said it will bring a great tax base to the City. She said this is a large parcel and will bring with it a significant amount of economic development and tax base into the City of Monroe.

Ms. Lins said she does not have any site plan or specifics to share with this Board. She said, truthfully, she does not know what will be developed. She said she represents SunCap and they are the developers of the site. She said we are just seeking the rezoning. She said as staff mentioned, if approved, this would still go through the permitting process, engineering review, etc.

Renee Hartis said to Ms. Lins that she is pursuing the zoning but has no idea of what they are going to build at this property. Ms. Lins said she, personally, does not. Ms. Hartis said they wanted to speak to the applicant. Ms. Lins said she represents SunCap as the petitioner and she has Darius here as well.

Chair said to Ms. Lins that if they are going to start in February, surely somebody knows what is going to be placed on the property. Ms. Lins said certainly there are plans on the table, but she said as the attorney, she does not know the specific plans. She is not sure if they can be disclosed as well.

Chair said she understands about the neighborhood and she also, as a taxpayer, understands the value of industry from our tax base. She said she is not really sure about what is going on there and there is a lot of land.

Jennifer Smith said Keri had mentioned something about noxious fumes. Ms. Lins said that is not the district that we are pursuing. She said they are pursuing the GI district, which is the light industrial [distribution, warehousing, light office uses]. She said the heavy industrial district would be under the new Ordinance which has not been adopted yet. She said that is not the district they want; they will not be doing anything with noxious uses. Chair said to Ms. Lins that after the new Ordinance is adopted you would be able to. Ms. Lins said no. She said under the current Ordinance, we cannot do any noxious heavy industrial uses. She said under the new Ordinance, there are two (2) categories---GI and HI [heavy industrial]. She said they are two (2) separate districts. She said we are pursuing the GI. She said we are not pursuing the HI. She said we will be locked in the light industrial; we will not be able to do the heavy industrial.

Jennifer Smith said to Ms. Lins that she was still going to have big, semi-trucks in this neighborhood.

David Dotson asked Ms. Lins why she was pursuing this now if it was going to be the same type of zoning if you pursue it in February. He said you may not have to disclose to us, but why are you in such a hurry to get this rezoned. Ms. Lins said for contractual obligations.

Chair asked if anyone else had any questions. There were none.

Chair asked if there was anyone else who would like to speak in favor of this project. There was no one.

Chair asked if there was anyone who would like to speak in opposition of this project. There was no one.

Chair asked for a motion.

Motion: Richard Ali made a motion to recommend adoption of the Resolution Denying the Land Development Plan Compliance.

Second: Ken Deal

Action: The motion to recommend adoption of the Resolution Denying the Land Development Plan Compliance passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Motion: Richard Ali made a motion to recommend denial of the Zoning Map Amendment.

Second: David Dotson

Action: The motion to recommend denial of the Zoning Map Amendment passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Item 4. Zoning Map Amendment request for the property located at 430 Crow Street and further identified as Tax Parcel 09-231-035A from GB (General Business) to GI (General Industrial)

Keri Mendler, Senior Planner, introduced this item and said tonight she will present a Zoning Map Amendment request for the property at 430 Crow Street. She said the property is located south of Crow Street and west of McCauley Street.

Keri said the applicant is requesting a General Rezoning from GB (General Business) to GI (General Industrial). She said the property currently has a 6,000 +/- square foot building on the site. She said as the property is currently zoned, it can be utilized for uses within the GB zoning district, which includes retail sales and service or restaurants.

Keri said the properties to the north and east are zoned GI (General Industrial). She said the properties to the south and west are zoned GB (General Business).

Keri said this property is located in the Downtown Master Plan and it is located in the Office/Employment classification. She said this parcel is right on the edge of the Downtown Master Plan, which was adopted in 2008. She said as she mentioned, it is in the Office/Employment area since it is tucked back in the main area in the Downtown Central Core.

Keri said planning staff does believe that the proposal is a reasonable use and in the public interest because Office/Employment uses are permitted in the GI district and because it is off the main roads and not within the Central Core of Downtown.

Keri said the rezoning notification sign [will be posted] and official rezoning notification letter will be sent at least ten (10) days prior to the public hearing. She said she would be happy to answer any questions and the applicant is here as well.

Chair asked if there were any questions.

Jennifer Smith said there is a very small building on the property and she wanted to know if there were any plans for that. Keri said she would defer this question to the applicant. She said this rezoning is for GI as well so there cannot be any conditions.

Chair asked if there were any further questions for Keri. There were none. She asked for the applicant to come forward.

Mr. Charles Griffin came forward and said he is the proud owner of 430 Crow Street. He said Metro Oil is just to the east and they have the big, tall tanks that were there before he bought the property. He said he owns the property across the street which is already zoned GI. He said on the south side, behind him, is CBS Forklift. He said to the west on Crow Street is the City garage and they are zoned GB. He said there are all well-established businesses around him and everyone has been there for a long time. He said it does not look like anybody is going to be moving.

Mr. Griffin said he has been trying to rent the property for several years now. He said it used to be a Southern States store. He said it has been very difficult to try and rent the building. He said he has a potential tenant right now, but even if this goes through he doesn't think he will last that long. He said Keri is checking now if this potential tenant can go into the building if it's GB. He said if anyone has ever been up and down Crow Street, there is not a lot of traffic on Crow Street, so it really doesn't lend itself towards retail space unless you absolutely want to buy something that they are selling on Crow Street. He said McCauley Street is a one-way street. He said it is confusing. He said you have to know exactly where you are going in order to find that place in Monroe. He said as a retail spot it is not the greatest. He said he was hoping to get it zoned GI and then it might open it up to different people. Renee Hartis said it is surrounded by business as it is so she did not think there would be any problem.

Patrick Furr asked Mr. Griffin if he was going to keep the building. Mr. Griffin said yes. Mr. Furr asked if it was fenced in. Mr. Griffin said no. Mr. Furr asked if it had inside access for equipment or storage. He said he was sorry that he didn't look at the place but he is looking for a building. Mr. Griffin said it is a pre-fab steel building, 6,000 square feet, 60 feet wide x 100 feet long. He said half of the building is conditioned, which is 60 x 50 and the other half is not. He said it has a one (1) bay loading dock on the south side of the building. Mr. Furr asked Mr. Griffin if he was going to rent or lease the building. Mr. Griffin said yes.

Ken Deal asked Mr. Griffin that he understood that there was a potential renter for the building. He asked what type of business it would be. Mr. Griffin said it is a company that makes special mixes of concrete. Mr. Deal asked Mr. Griffin if he thought about going through the Special Use Permit process with the City. Mr. Griffin said it is not available for this situation. Keri said it is not. Mr. Griffin said Keri has been very helpful.

Patrick Furr said we are obviously trying to transform and upfit Monroe. He asked Mr. Griffin if he had any plans to upfit the building aesthetically on the outside. Mr. Griffin said when he bought the building it was pretty bad. He said it has been painted and he has been working on the interior and exterior of the building as time has gone on and money has permitted. He said he hasn't had any income on the building for four (4) years.

Chair asked if there were any more questions. There were none.

Chair asked if there was anyone else who would like to speak in favor of this project. There was no one.

Chair asked if there was anyone who would like to speak in opposition of this project. There was no one.

Chair asked for a motion.

Motion: Renee Hartis made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance.

Second: Jennifer Smith

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Motion: Renee Hartis made a motion to recommend the adoption of the Ordinance amending Section 156.106 - Official Zoning Map.

Second: Jennifer Smith

Action: The motion to recommend adoption of the Ordinance amending Section 156.106 – Official Zoning Map passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Item 5. Zoning Map and Text Amendment request for property located along E. Roosevelt Blvd further identified as Tax Parcel #09-122-002 from GI (General Industrial) to Conditional District "Camp Sutton Nursery"

Keri Mendler, Senior Planner, introduce this item and said tonight she is presenting a Zoning Map and Text Amendment request for the property located along E. Roosevelt Blvd. She said the request is to utilize the property for a commercial greenhouse with onsite retail and wholesale sales. She said commercial greenhouses require a Conditional District rezoning so that is why the applicant is here tonight.

Keri said the site is north of E. Roosevelt Blvd. and the City's golf course is located to the south. She said the property is zoned GI (General Industrial) so with the current zoning it can be utilized for industrial uses such as manufacturing and distribution. She said the adjoining zoning to the north and east are also GI. She said the zoning to the west is an old mixed-use Special Use District which was utilized for the medical plaza there. She said the zoning to the south, which is across Roosevelt Blvd., is residential.

Keri said the applicant is requesting a Conditional District in order to utilize the property for a commercial greenhouse with onsite retail and wholesale sales. Specifically, she said plants and other landscaping needs such as rock, soil, mulch, etc. She said the site will also have outdoor storage including shrubs and plants. She said the western portion of the property has a lot of floodplain.

Keri said the proposed structures will maintain a 50-foot setback from E. Roosevelt Blvd. and at least a ten (10)-foot setback from all other property lines. She said the development will also have a 50-foot landscape buffer along E. Roosevelt Blvd. She said they are also proposing a 25-foot landscape buffer along the eastern property line.

Keri said the proposed site is going to have a minimum of 30 paved parking spaces. She said there are no minimum parking requirements for commercial and industrial uses at this time. Additionally, she said they are going to do an eight (8)-foot wide sidewalk that will be along the front of E. Roosevelt Blvd. She said the applicant will be required to provide stormwater management to treat stormwater run-off for the project. She said all blue line streams have been provided with a 50-foot buffer as required by the Ordinance.

Keri said the site will be accessed by one (1) entrance off E. Roosevelt Blvd., which is located more or less central to the site.

Keri went over the site plan showing the shrub and tree storage area, a retail store, as well as the greenhouses, and a potting/storage shed to the north. She showed the proposed elevations for the greenhouses. She said the retail building and storage shed will be metal buildings as the industrial district does not have building design standards in the current Code.

Keri said the applicant did hold a neighborhood meeting on October 21st. She said there were no individuals who attended this meeting, nor did anyone reach out to the applicant or staff after the letters were mailed out.

Keri said a rezoning notification sign [will be posted] and notification letter will be mailed ten (10) days prior to the public hearing.

Keri said the Land Development Plan indicates this area is located in the Manufacturing, Logistics and Aerospace Character Area. She said the Manufacturing, Logistics and Aerospace designation includes the City's existing base of industrial centers. She said these areas support manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage and utilities. She said Manufacturing, Logistics and Aerospace areas are found near major transportation assets and are generally buffered from surrounding development. She said clusters of uses that support or serve similar industrial uses typically locate nearby. She said the proposed rezoning is consistent with the Land Development Plan as commercial uses are listed as a priority use.

Keri said staff is of the opinion that the proposed project is reasonable and in the public interest because it is located along the main corridor where sales-oriented businesses would typically locate. She said, additionally, this can act as a buffer between E. Roosevelt Blvd. and the residential area to the south and other industrial uses that may locate to the north of this site.

Keri said planning staff does recommend approval of this rezoning. She said she would be happy to answer any questions you may have and the applicant is here as well.

Chair asked if there were any questions.

Margaret Desio said to Keri that she mentioned there would be an entrance off Acme Drive. Keri said no, that is to the north and it is an existing right-of-way. She said their entrance is off Roosevelt Blvd. She said you would come in off Roosevelt and there is a cul-de-sac so you can turn around or go into the parking area and then exit off of Roosevelt Blvd.

Margaret Desio said to Keri that she would like to know how far from Acme Drive the entrance would be off Roosevelt. Keri showed the distance on the site plan.

Mr. Matt Kirchner of Eagle Engineering came forward and said this is the Camp Sutton Nursery. He said if you have driven down that area you will see that there is a pretty good-sized development all the way up to this site. He said the nursery is not by right so we are asking permission to use it as a Conditional District. He said we are developing everything along Roosevelt up to this property as by-right uses. He showed additional site plans and elevations of the property.

Renee Hartis said she felt this is a great addition to the City.

Archie Morgan asked how many acres is the proposed site. Mr. Kirchner said the whole property is 83 acres and we are asking for 34 acres of it. Margaret Desio asked if the 34 acres included the flood plain. Mr. Kirchner said yes.

Tom Crouch from the Moser Group came forward to answer questions.

Patrick Furr said he owns a string of retail nurseries. He said he knows what you are doing here and he likes it. He asked if they will be growing annual, perennials, etc. Mr. Crouch said they will have four (4) greenhouses. He said one (1) greenhouse will be for perennials, two (2) for annuals and the other greenhouse will be for specialty plants. Mr. Furr said our community needs this.

Patrick Furr said whenever he puts in his retail nurseries, he always landscapes the area. He said unfortunately, today we do not have much of a landscape ordinance in Monroe. He asked if this nursery will be landscaped. Mr. Crouch said yes. He said there will be a management team onsite making sure this looks great.

Jennifer Smith said there was a little house on the property. Mr. Crouch said that house will be torn down.

Patrick Furr asked if there would be a sediment control basin. Mr. Crouch said yes. He said everything will be in the warehouse and it will all drain to the sediment pond before it goes back into the flood plain.

David Dotson asked if they would be making deliveries and having dump trucks coming in to pick up. Mr. Crouch said we will not be making deliveries but we will have trucks [trailers, landscapers] coming in to pick up.

Mr. Crouch said they are planning to open by June 2022. Mr. Kirchner said this is part of your "Opportunity Zone" to bring businesses in.

Chair asked if there were any more questions. There were none.

Chair asked if there was anyone else who would like to speak in favor of this project. There was no one.

Chair asked if there was anyone who would like to speak in opposition of this project. There was no one.

Chair asked for a motion.

Motion: Renee Hartis made a motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the recommendation from planning staff that the applicant will complete a lot line revision prior to occupancy of the site.

Second: Jennifer Smith

Action: The motion to recommend adoption of the Resolution Approving the Land Development Plan Compliance with the condition passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Chair asked for a motion on the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map.

Motion: Renee Hartis made a motion to recommend the adoption of the Ordinance amending Section 156.98 - Conditional Districts Established and Section 156.106 - Official Zoning Map.

Second: Jennifer Smith

Action: The motion to recommend adoption of the Ordinance amending Section 156.98 – Conditional Districts Established and Section 156.106 – Official Zoning Map passed unanimously with the following votes:

AYES: MaryAnn Rasberry, Richard Ali, Renee Hartis, Jennifer Smith, Patrick Furr, Margaret Desio, Ken Deal, David Dotson and Archie Morgan

NAYS: None

Item 7. **Other**

There was no other business.

Item 8. **Next Meeting – December 1, 2021**

Item 9. **Adjournment**

Chair said if there were no further questions, she would entertain a motion at this time to adjourn.

Motion: Renee Hartis made a motion to adjourn the meeting.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **MaryAnn Rasberry, Renee Hartis, Richard Ali, Jennifer Smith, Patrick Furr,
Margaret Desio, Ken Deal, David Dotson and Archie Morgan**

NAYS: **None**

The meeting was adjourned at 7:02 p.m.

Respectfully Submitted,

MaryAnn Rasberry, Chair
Planning Board

Maryann Brown
Secretary to the Board



STAFF REPORT

TO: Planning Board Members

DATE: December 1, 2021

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Map and Text Amendment request for property located at 1404 E. Franklin Street (Tax Parcel: 09-194-018)

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning map and text amendment request from the Humane Society of Union County, NC for the property located at 1404 E. Franklin Street from Office Transitional (OT) to Conditional District (CD) “1404 E. Franklin Street.”

REVIEW

The applicant is requesting a zoning map and text amendment from Office Transitional (OT) to Conditional District (CD) “1404 E. Franklin Street” in order to allow a spay-neuter veterinary clinic and retain all OT uses. The property currently has an existing 7,284 square foot building and a paved parking area with approximately 50 parking spaces.

AREA CHARACTERISTICS

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Hospital	CD “CMC Union”
East	Medical Office	Office Transitional (OT)
South	Office	Office Transitional (OT)
West	Monroe High School	CD “Monroe High School”

REQUIREMENTS

Density & Dimensional Standards

The applicant is proposing no changes to the current 10 foot setbacks.

Parking

The property has an existing paved parking area with approximately 50 parking spaces.

Landscaping

The site has existing trees; however, due to overhead power lines and limited space on E. Franklin Street, the applicant is not proposing any additional landscaping.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Traditional Development. The Traditional Development surrounds the downtown core and is anchored by the city's most historic neighborhoods. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Office and medical uses are listed as priority uses in this character area. The proposed use is consistent with the Land Development Plan. Staff is of the opinion that the proposed use is reasonable and in the public interest.

PUBLIC NOTIFICATION

1. A rezoning notification sign will be posted 10 days prior to the public hearing.
 2. An official rezoning notification letter will be sent to the adjacent property owners located within 150 feet, 10 days prior to the public hearing.
-

RECOMMENDATION

Staff recommends approval of the rezoning.

Planning Board will need to take action on the following items:

1. *Motion to recommend adoption of Resolution Approving OR Denying Land Development Compliance;*

If the Resolution of Land Development Plan Compliance is recommended for approval, the Planning Board will also need to make the following motion:

1. *Motion to recommend adoption of the Ordinance amending section 156.98- Conditional Districts Established and section 156.106- Official Zoning Map.*

If the Resolution of Land Development Plan Compliance is recommended for denial, the Planning Board will also need to make the following motion:

1. *Motion to recommend denial of the zoning map amendment*

Attachments:

1. Ortho Map
2. Zoning Map

3. Site Plan
4. Future Land Use Description
5. Future Land Use Map
6. Approval Resolution
7. Denial Resolution
8. Ordinance 156.106
9. Ordinance 156.98

Prepared: 11-19-21 KM

Ortho Map

CD "1404 E. Franklin Street"

Legend

— Centerlines

□ Parcels

**Existing: OT
(Office Transitional)**

Owner: Noble Wholesales, Inc

Acres: 1.47



0 125 250
Feet



Zoning Map

CD "1404 E. Franklin Street"

Legend

Centerlines

Parcels

Zoning Districts

Code

R-10

OT

CD

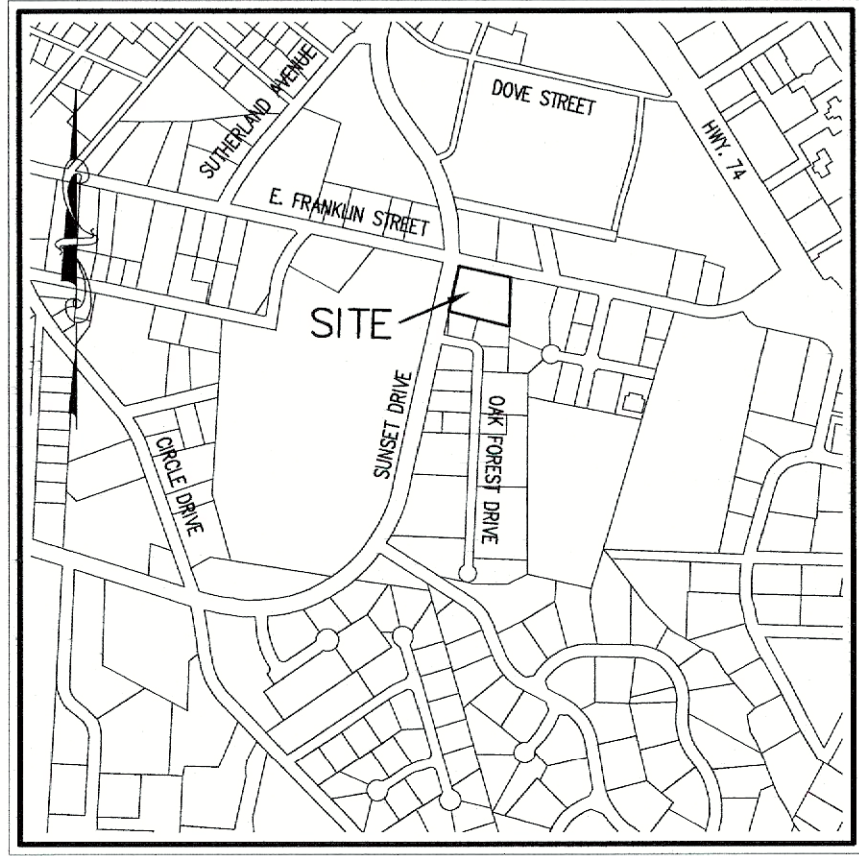
Existing: OT
(Office Transitional)

Owner: Noble Wholesales, Inc

Acres: 1.47



0 110 220
Feet



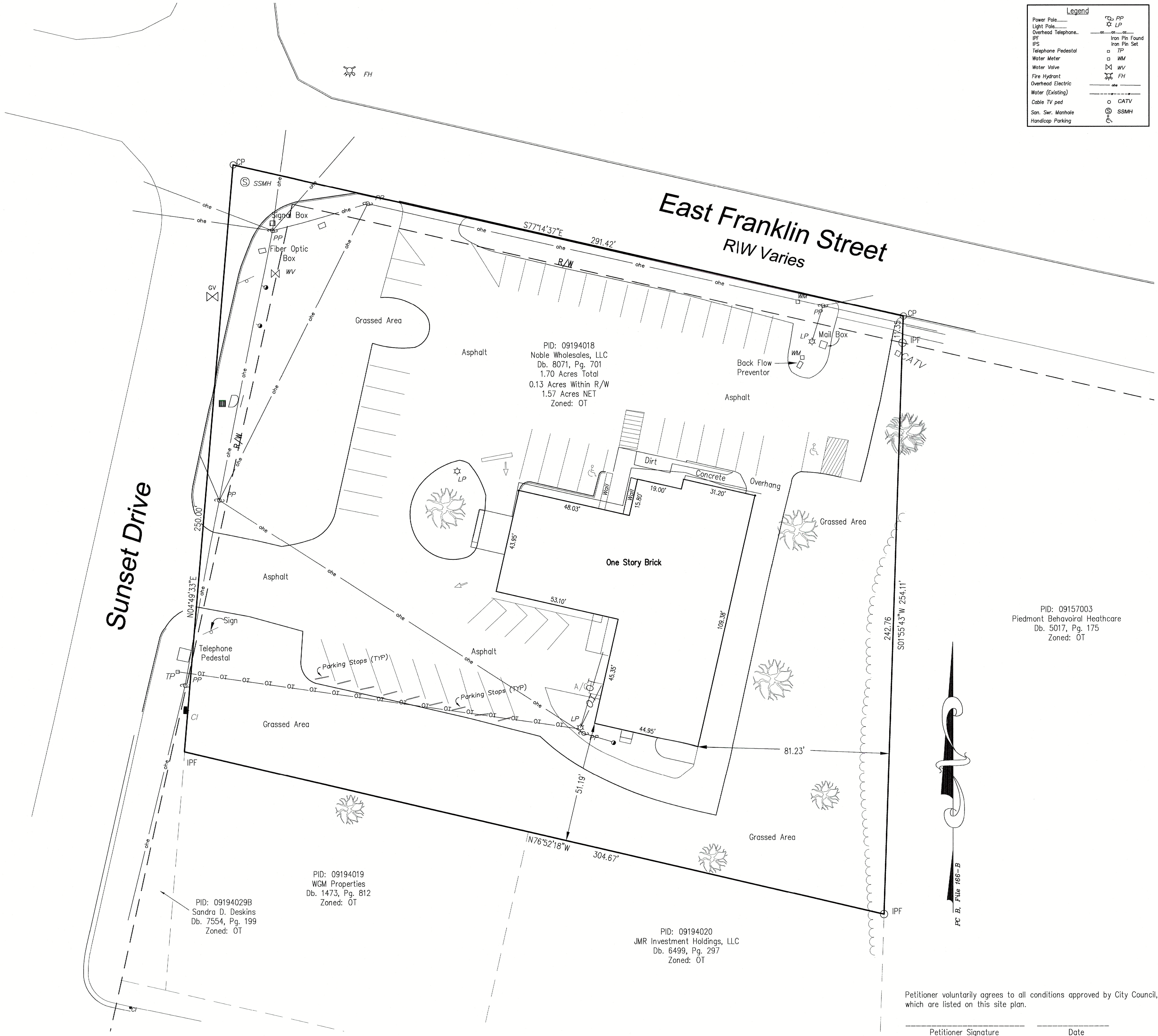
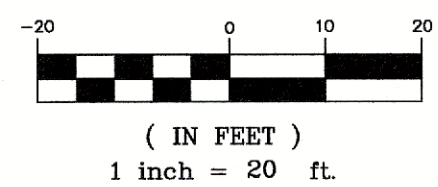
Vicinity Map (NTS)

Notes:

- 1) All survey information was taken from a survey by Lawrence Associates.
- 2) The proposed development shall meet all requirements of the phase II stormwater ordinance.
- 3) All elevation, packets, or other supplemental material submitted to staff, Planning Board and/or City Council in reference and support of this Conditional District shall be regarded as an integral element of the approved site plan.
- 4) Only uses permitted within the OT (Office\Transitional) Zoning District and Spay-Neuter Veterinary Clinic shall be permitted as part of Conditional District "1404 East Franklin Street".
- 5) Landscaping is to be kept in a thriving condition at all times.
- 6) All signage shall adhere to the OT (Office\Transitional) zoning district requirements.
- 7) Existing trees shown were taken from Google aerial photography.

Site Notes:

- 1) Applicant: Noble Wholesales
1402 East Franklin Street
Monroe, NC 28110
- 2) Site Acreage: 1.57 Acres
- 3) Parcel Number: 09-194-018
- 4) Current Zoning: OT (Office\Transitional)



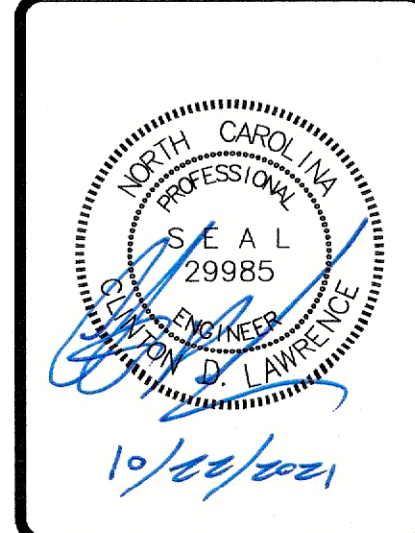
Legend	
Power Pole.....	PP
Light Pole.....	LP
Overhead Telephone..	OT
IPF	Iron Pin Found
IPS	Iron Pin Set
Telephone Pedestal	TP
Water Meter	WM
Water Valve	WV
Fire Hydrant	FH
Overhead Electric	oh
Water (Existing)	oh
Cable TV ped	CATV
San. Swr. Manhole	SSMH
Handicap Parking	

NO.	DATE	BY	ISSUE

1404 East Franklin Street

Attn: Paul Winchester
1321 New Salem Road
Monroe, NC 28110

LAWRENCE ASSOCIATES
106 W. Jefferson St.
Monroe, North Carolina 28112
P 704-289-1013
www.lawrenceassoc.com
Firm License Number: C-3856



DESIGNED BY	DRAWN BY	CHECKED BY	DATE	JOB NUMBER	CDL NUMBER

1404 East Franklin Street
Conditional District

1" = 20'

CU - 2.0

Petitioner voluntarily agrees to all conditions approved by City Council, which are listed on this site plan.

Petitioner Signature _____ Date _____

Future Land Use Description

The Land Development Plan indicates this area is Traditional Development. The Traditional Development surrounds the downtown core and is anchored by the city's most historic neighborhoods. The dense transportation network offers easy access to downtown. The design and scale of neighborhoods encourages active living and affords residents the ability to live, work, shop, and play within a walkable community. Commercial, office, and medical are listed as priority uses in this character area.

Future Land Use Map

CD "1404 E. Franklin Street"

Legend

Centerlines

Parcels

FLUM

Future Land Use Character Area

Traditional Development

Medical Campus

Existing: OT
(Office Transitional)

Owner: Noble Wholesales, Inc

Acres: 1.47



0 110 220
Feet

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “1404 E. FRANKLIN STREET”
R-2021-94**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “1404 E. Franklin Street” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this area is in the Traditional Character Area. The proposed development is consistent because office and medical are listed as priority uses, and the proposed use of a spay-neuter veterinary clinic is office and medical. The proposed development is a reasonable use and in the public interest because the proposed use is surrounded by other medical office uses.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-194-018.

Adopted this 1st day of December, 2021

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “1404 E. FRANKLIN STREET”
R-2021-94**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “1404 E. Franklin Street” further described below property is consistent with the adopted Land Development Plan. The Land Development Plan indicates this area is in the Traditional Character Area. The proposed development is consistent because office and medical are listed as priority uses, and the proposed use of a spay-neuter veterinary clinic is office and medical. However, the proposed development is not a reasonable use and is not in the public interest because the proposed use of a spay-neuter veterinary clinic could have a negative impact on existing medical services in the area. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for denial, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends the adoption of the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-194-018.

Adopted this 1st day of December, 2021

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2021-75

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the property located at 1404 E. Franklin Street (Tax Parcel 09-194-018) from Office Transition (OT) to Conditional District (CD) “1404 E. Franklin Street”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of December, 2021

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2021-76

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “1404 E. Franklin Street”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 13th day of December, 2021

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Planning Board Members

DATE: December 1, 2021

FROM: Lisa Stiwinter, Planning and Development Director

PREPARED BY: Keri Mendler, Senior Planner

SUBJECT: Zoning Text and Map Amendment request for Conditional District “Blair Place” (Parcel ID 09-298-080)

SUMMARY STATEMENT

The Planning Board is requested to consider a zoning text and map amendment for property located along Fowler Secrest Road further identified with parcel ID number 09-298-080 from R-40 (Residential-Low Density) to Conditional District (CD) “Blair Place.”

REVIEW

The applicant is requesting a conditional district rezoning in order to develop an age-restricted 100-lot subdivision. The total area of the project is 51.8 acres, with 21.3 acres or 41.12% of that left as common open space. The density of this project is 1.93 units per acre.

AREA CHARACTERISTICS

The subject property is currently zoned R-40 (Residential-Low Density) and is located along Fowler Secrest Road. The R-40 zoning district allows for residential single family and has a minimum lot size of 40,000 square feet.

Adjoining Land Uses and Zoning District

	Existing Uses	Zoning District
North	Residential	R-40 (Residential- Low Density)
East	Open Space	CD “Hilton Meadows”
South	Residential	CD “Fox Hunt Ph. V” and R-40 (Residential- Low Density)

West	Residential/Assisted Living	R-20 (Single Family Low Density)
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Proposal

The applicant is requesting a conditional district rezoning in order to develop an age restricted 100-lot subdivision with 21.3 acres or 41.12% of that left as common open space. The density of this project is 1.93 units per acre.

Age Restricted Notes

As mentioned above, the applicant is proposing this project will be an age-restricted development. This means the development must meet the Housing and Urban Development (HUD) definition of age restricted or “housing for older persons”. The applicant has provided the following notes regarding this requirement:

1. Developer agrees that the lots in Blair Place will be age restricted per HUD definitions, which includes and permits that at least 80% of the units be occupied by at least one permanent occupant who is at least 55 years or older. The remaining 20% may be unrestricted due to death, legal separation, or removal by reason of incapacitation where the spouse and remaining members of the household may continue to occupy the home.
2. Developer agrees to provide a copy of the restrictive covenants for the development prior to any lots being recorded indicating the age restricted requirement is in the documents.
3. The subdivision HOA will provide a census in July of each year showing the age of all residents residing in the development per lot.

REQUIREMENTS

Density & Dimensional Standards

The density of the proposed project is 1.93 units per acre. The minimum lot size is 9,100 square feet with 12,046 square feet as the average lot size. The data below is simply to provide the board with information to compare the proposed density to what is allowed by the zoning ordinance in other residential districts in Monroe.

Zoning District	Maximum Allowable Density
R-10	4 units per acre
R-20	2 units per acre
R-40	1 unit per acre

The minimum setbacks proposed are as follows:

Front: 25-feet

Side: 5-feet

Corner Lot Side: 5-feet

Rear: 10-feet

Landscaping

Street trees will be provided at a rate of one (1) per fifty (50) linear feet. Each lot will have at least two (2) front yard trees. A 25-foot landscape buffer is also being provided along the perimeter of the site.

Open Space

The project is required to provide at least 12.5% open space which would equal 6.47 acres. The total area of open space provided is 21.3 acres or 41.12%. The open space also includes a natural walking path and a gazebo with benches.

Elevations

The developer is proposing the homes will be a minimum of 1,400 heated square feet. Primary building materials on all sides shall consist of stone or brick, secondary materials may consist of fiber cement materials. Vinyl will not be a permitted building material. Brick veneer will be used on all the foundations.

Parking

Each home will have a minimum of a two (2) car attached garage. All front load garages will have carriage style trim and/or hardware that mimics carriage style doors. Driveways will be able to accommodate at least four (4) vehicles.

Sidewalk

A five (5) foot wide sidewalk will be provided along both sides of the interior roads throughout the development. An eight (8) foot wide sidewalk will be provided along the frontage of the property.

Stormwater

The applicant will be required to provide stormwater management to treat the stormwater runoff for the project. The stormwater will be evaluated and reviewed, if the project is approved by City Council, at the building permit stage of the process. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and actual site discharge points. At the time of site plan submittal, site will meet stormwater management requirements in accordance with Chapter 159 Stormwater Management Ordinance of the Monroe Code of Ordinances.

Transportation

The development is proposed to be accessed by one entrance off Fowler Secrest Road, this entrance lines up with the entrance for Woodridge Senior Living Community. A Traffic Impact Analysis (TIA) was not required for this site from NCDOT or the City of Monroe Engineering Department.

Schools

The following is the information provided by Don Ogram with the school system:

Blair Place is a proposed 100 single-family unit development on Fowler Secrest Road. It will be within the following school attendance areas for the 2021-2022 school year:

Porter Ridge Elementary	Currently at 84% rated capacity
Piedmont Middle	Currently at 90% rated capacity
Piedmont High	Currently at 79% rated capacity

PLEASE NOTE: Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

The proposed development is not expected to adversely affect school enrollment vs. capacity.

LAND DEVELOPMENT PLAN CONSISTENCY

The Land Development Plan indicates this area is Suburban. Residential uses typically take the form of neighborhoods with uniform housing types and densities; a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

The proposed project is not consistent with the Future Land Use Plan because the density for the Suburban character area is 2-4 units per acre and this project is at 1.93 units per acre; however, the project is a reasonable use and in the public interest because it will provide a mix of lot sizes in this area. The project is also an age-restricted project, which fits in with the assisted living community across Fowler Secrest Road.

PUBLIC NOTIFICATION

1. The applicant held three neighborhood meetings on April 21, 2021, June 22, 2021, and September 8, 2021. The meetings were a combination of virtual and in person.
2. A rezoning notification sign will be posted 10 days prior to the public hearing.
3. An official rezoning notification letter will be sent to the adjacent property owners located within at least 150 feet, 10 days prior to the public hearing.

RECOMMENDATION

Staff recommends approval of Conditional District “Blair Place”.

Planning Board will need to take action on the following items:

1. *Motion to recommend adoption of Resolution Approving/Denying Land Development Compliance;*

If the Resolution of Land Development Plan Compliance is recommended for approval, the Planning Board will also need to make the following motion:

- 1. Motion to recommend adoption of the Ordinance amending section 156.98- Conditional Districts Established and section 156.106- Official Zoning Map.*

If the Resolution of Land Development Plan Compliance is recommended for denial, the Planning Board will also need to make the following motion:

- 1. Motion to recommend denial of the zoning map amendment*

Attachments:

1. Ortho Map
2. Zoning Map
3. Site Plan
4. Building Elevations
5. Future Land Use Map
6. Future Land Use Description
7. Approval Resolution
8. Denial Resolution
9. Ordinance 156.106
10. Ordinance 156.98



Ortho Map

CD "Blair Place"

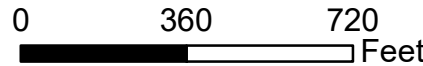
Legend

-  Centerlines
-  Parcels

**Existing: R-40
(Residential- Low Density)**

**Owner: Ann Secrest Rushing
Family LTD Partnership**

Acres: 51.8



Zoning Map

CD "Blair Place"

Legend

-  Centerlines
-  Parcels
-  R-40
-  R-20
-  CD

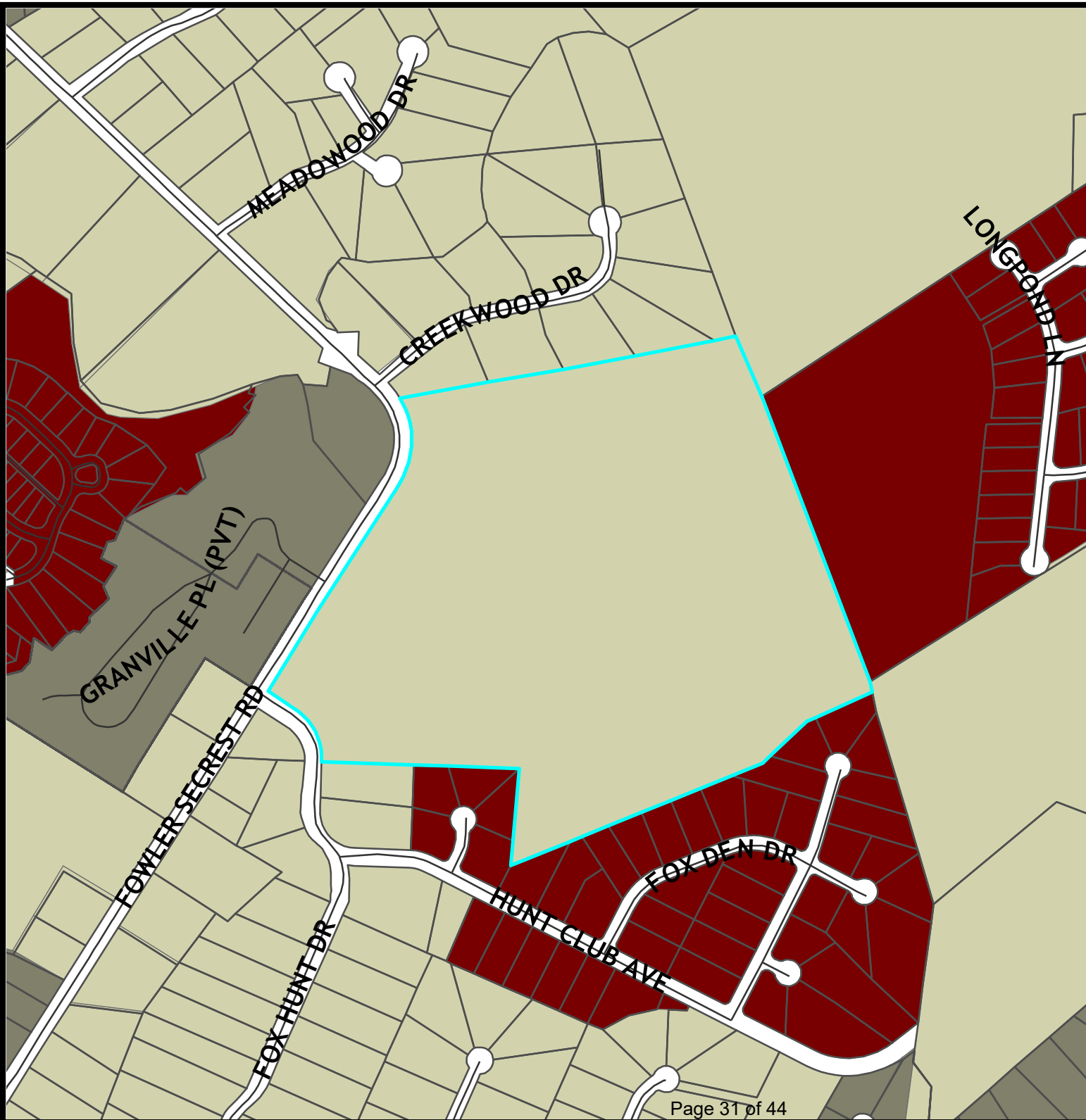
Existing: R-40
(Residential- Low Density)

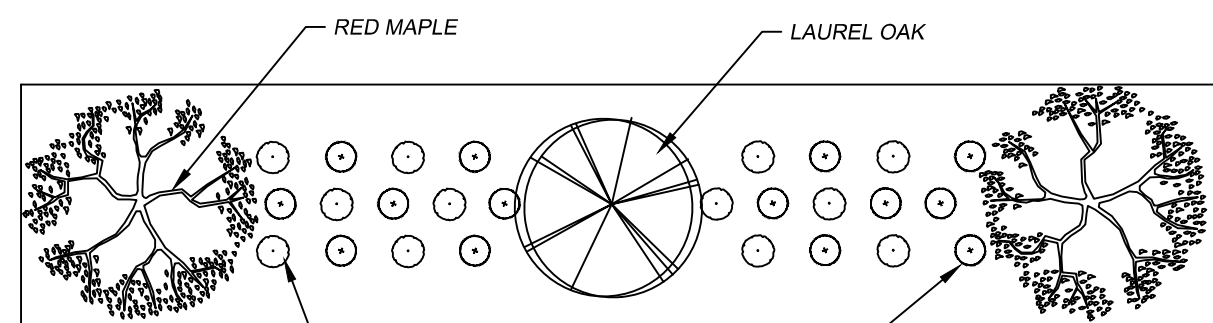
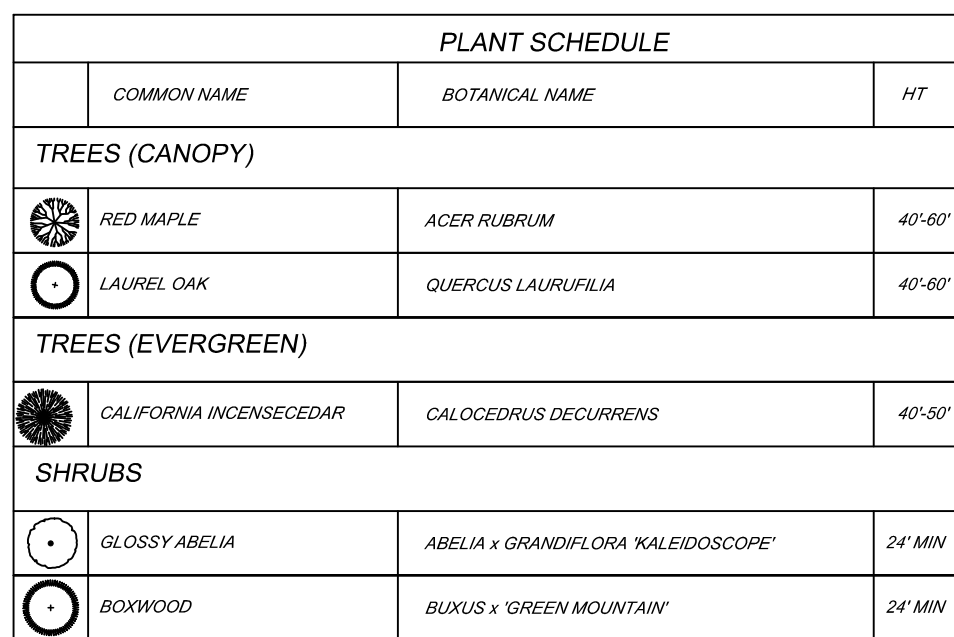
Owner: Ann Secrest Rushing
Family LTD Partnership

Acres: 51.8

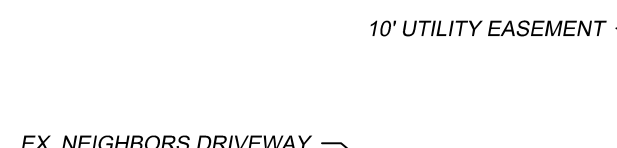


0 400 800
Feet



TYPICAL 25' LANDSCAPE BUFFER (NTS)



SITE DEVELOPMENT NOTES

1. PROPOSED REZONING FROM R-40 TO CONDITIONAL DISTRICT "BLAIR PLACE".
2. DEVELOPER AGREES THAT THE LOTS IN BLAIR PLACE WILL BE AGE RESTRICTED PER HUD DEFINITIONS, WHICH INCLUDES AND PERMITS THAT AT LEAST 80% OF THE UNITS BE OCCUPIED BY AT LEAST ONE PERMANENT OCCUPANT WHO IS AT LEAST 55 YEARS OR OLDER. THE REMAINING 20% MAY BE UNRESTRICTED DUE TO DEATH, LEGAL SEPARATION, OR REMOVAL BY REASON OF INCAPACITATION WHEREAS THE SPOUSE AND REMAINING MEMBERS OF THE HOUSEHOLD MAY CONTINUE TO OCCUPY THE HOME.
3. DEVELOPER AGREES TO PROVIDE A COPY OF THE RESTRICTED COVENANTS FOR THE DEVELOPMENT PRIOR TO LOTS BEING RECORDED INDICATING THE AGE RESTRICTIVE REQUIREMENTS IS IN THE DOCUMENTS.
4. THE SUBDIVISION HALL WILL PROVIDE A CENSUS IN JULY OF EACH YEAR SHOWING THE AGE OF ALL RESIDENTS RESIDING IN THE DEVELOPMENT PER LOT.
5. ROADS WILL BE PUBLIC STREETS CONSTRUCTED IN ACCORDANCE WITH CITY OF MONROE STANDARDS.
6. SIGN REGULATIONS FOR THIS PROPERTY SHALL ADHERE TO THE RESIDENTIAL SIGN REQUIREMENTS.
7. ALL LANDSCAPING SHALL BE KEPT IN A PROTECTIVE CONDITION.
8. ALL ELEVATIONS, PACKETS, OR OTHER SUPPLEMENTAL MATERIAL SUBMITTED TO STAFF, PLANNING BOARD AND/OR CITY COUNCIL IN REFERENCE AND SUPPORT OF ANY CONDITIONAL DISTRICT SHALL BE REGENERATED AT THE CITY ENGINEER'S APPROPRIATE SITE PLAN. MINOR DEVIATIONS FROM SUBMITTED MATERIAL SHALL BE ALLOWED AT THE DISCRETION OF THE PLANNING DIRECTOR OR HIS DESIGNEE.
9. TREES WITHIN THE DEVELOPMENT THAT ARE 75" OR GREATER IN CIRCUMFERENCE WILL BE PRESERVED AND WILL NOT BE REMOVED TO THE EXTENT PRACTICAL.
10. TREES WITHIN THE DEVELOPMENT THAT ARE 25" OR GREATER IN CIRCUMFERENCE MAY ONLY BE REMOVED IF THEY ARE LOCATED WITHIN AN APPROVED STREET CROSS SECTION, BUILDING PAD, DRIVEWAY AREA, STORM WATER MANAGEMENT FEATURE, OR STORM OR UTILITY EASEMENT.
11. DEVELOPER RESERVES THE RIGHT TO REMOVE SKID OR DAMAGED TREES AT DEVELOPERS DISCRETION.
12. SETBACK MEASUREMENTS SHALL BE MADE FROM THE EXTERIOR WALL DIMENSION AT THE FOUNDATION. ARCHITECTURAL FEATURES (INCLUDING BUT NOT LIMITED TO OVERHANGS, STOOPS, EAVES, AND SOFFITS) AND MECHANICAL UNITS MAY PROJECT INTO SETBACKS.
13. LANDSCAPING SHALL BE IN ACCORDANCE WITH CITY OF MONROE STANDARDS.
14. HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF OPEN SPACE, COMMON AREAS, BMP AREAS, ETC.
15. FIVE (5) FOOT WIDE SIDEWALKS WILL BE REQUIRED ON BOTH SIDES OF THE INTERIOR STREETS THROUGHOUT THE DEVELOPMENT
16. COMMENCEMENT OF THE AMENITY AREA SHALL BEGIN NO LATER THAN 50% OF THE CERTIFICATE OF OCCUPANCY'S ISSUED.
17. THE MINIMUM LOT SIZE IS 9,100 SF. THE AVERAGE LOT SIZE IS 12,046 SF. LOT SIZES ARE SUBJECT TO CHANGE DURING THE CONSTRUCTION PHASE. ALL LOTS WILL MAINTAIN THE MINIMUM LOT SIZE OF 9,100 SF AND THE LOT AREA MAY BE PLATTED.
18. PRIMARY BUILDING MATERIALS ON ALL SIDES SHALL CONSIST OF STONE OR BRICK. SECONDARY MATERIALS MAY CONSIST OF FIBER CEMENT MATERIALS. VINYL WILL NOT BE A PERMITTED SIDING MATERIAL. BRICK VENEER WILL BE USED ON THE FOUNDATIONS. HOUSES BUILT ON SLAB FOUNDATIONS SHALL HAVE A MINIMUM FOUR COURSE FOUND, OF STANDARD SIZE, EXTENDING UP THE FACE OF THE SLAB.
19. MINIMUM HOUSE SIZE SHALL BE 1,400 SF.
20. STREET TREES SHALL BE PROVIDED AT A RATE OF 1 PER 50 LINEAR FT. CALIPER OF 1 1/2 INCHES MEASURED 6 INCHES ABOVE GRADE. STREET TREES SHOULD BE A VARIETY OF SPECIES.
21. EACH LOT SHALL HAVE AT LEAST 2 FRONT YARD TREES, SUITABLE FOR HEALTHY GROWTH IN OUR CLIMATE. EACH TREE SHALL HAVE MINIMUM CALIPER OF 1 1/2 INCHES MEASURED 6 INCHES ABOVE GRADE.
22. ALL DRIVEWAYS SHALL BE PAVED WITH CONCRETE OR ASPHALT FROM THE ROAD TO THE GARAGE. EACH DRIVEWAY SHALL BE ABLE TO ACCOMMODATE AT LEAST FOUR (4) VEHICLES.
23. THE FRONT WALL OF ALL HOUSES SHALL NOT RUN UNBROKEN (UNARTICULATED) FOR A DISTANCE OF MORE THAN 24 LINEAR FEET. ALL WALL OFFSETS SHALL BE A MINIMUM OF ONE (1) FOOT IN DEPTH.
24. THE MAJORITY OF ALL ROOF AREAS ON ANY HOUSE SHALL HAVE A MINIMUM 6/12 PITCH ROOF.
25. ALL EXPOSED CHIMNEYS SHALL BE STUCCO OR BRICK VENEER CONSISTENT WITH THE ARCHITECTURE.
26. FRONT LAWNS OF ALL SINGLE FAMILY HOMES SHALL BE SODDED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
27. ALL HOMES SHALL HAVE A MINIMUM OF TWO (2) CAR ATTACHED GARAGE.
28. ALL FRONT LAID GARAGES SHALL HAVE CARRIAGE STYLE TRIM AND/OR HARDWARE THAT MIMICS CARRIAGE STYLE DOORS.
29. ACCESSORY STRUCTURES SHALL NOT BE LOCATED BEYOND THE FRONT CORNER OF THE HOME AND SHALL MAINTAIN A FIVE FOOT (5') SETBACK FROM ALL PROPERTY LINES. ACCESSORY STRUCTURES SHALL NOT BE LOCATED WITHIN PUBLIC EASEMENTS.

GENERAL PROVISIONS:

1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THIS CONDITIONAL ZONING PLAN, DEVELOPMENT STANDARDS, AND THE APPLICABLE PROVISIONS OF THE CITY OF MONROE UNIFIED DEVELOPMENT ORDINANCE (UDO).
2. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS SET FORTH ON THE ZONING SITE PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED AND MAY BE ALTERED SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.
3. EAGLE ENGINEERING IS NOT A LICENSED ARCHITECTURAL LANDSCAPE FIRM. ALL FINAL PLANT AND TREE SELECTION SHALL BE COORDINATED WITH THE DEVELOPER AND THE CITY OF MONROE PRIOR TO INSTALLATION. FINAL SELECTION OF SPECIES IS SUBJECT CITY OF MONROE APPROVAL AND ANY SPECIAL INSTALLATION REQUIRED SHALL BE BY OTHERS.
4. ZONING IS TO BE CHANGED FROM R-40 TO CONDITIONAL DISTRICT "BLAIR PLACE"

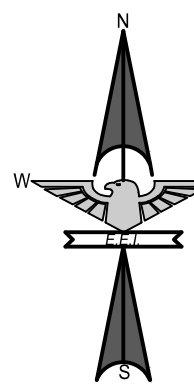


SITE AND DEVELOPMENT DATA

JURISDICTION	CITY OF MONROE
TAX PARCEL(S):	09298080
SITE ADDRESS:	FOWLER-SEBASTO RD
ZONING	R-40
PROPOSED ZONING	CONDITIONAL DISTRICT "BLAIR PLACE"
TOTAL AREA	+/- 51.80 ACRES
LOTS	100
DENSITY	1.93 UNITS/ ACRE
AREA IN LOTS	23.36 ACRES
OPEN SPACE AREA PROVIDED	21.30 ACRES (41.12% OPEN SPACE)
SETBACKS IN CONDITIONAL DISTRICT	
MINIMUM FRONT SETBACK	25'
MINIMUM CORNER/SIDE SETBACK	5'
MINIMUM REAR SETBACK	10'
MINIMUM LOT SIZE	9100 SQ. FT.
MINIMUM LOT WIDTH	70'

PETITIONER VOLUNTARILY AGREES TO ALL CONDITIONS APPROVED BY CITY COUNCIL, WHICH ARE LISTED ON THIS SITE PLAN.

PETITIONER SIGNATURE _____ DATE _____



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



EAGLE ENGINEERING

FIRM LICENSE # C-0873
20013A Van Buren Avenue
Indian Trail, NC 28079
(704) 882-4222
www.eagleonline.net

PRELIMINARY
NOT FOR
CONSTRUCTION

07/15/21

BLAIR PLACE
MONROE, UNION CO., NC

BRD LAND AND
INVESTMENT I, LP

REZONING PLAN
CONDITIONAL DISTRICT
"BLAIR PLACE"

DESIGNED BY	BLD	DRAWN BY	KCB	CHECKED BY	BLD
Scale	AS SHOWN	DATE	07/13/21	JOB NUMBER	7522

Show

RZP-1







Page 35 of 44

CRAFTSMAN







Future Land Use Map

CD "Blair Place"

Legend

— Centerlines

□ Parcels

Future Land Use Character Area

■ Community Corridor

■ Suburban

Existing: R-40
(Residential- Low Density)

Owner: Ann Secrest Rushing
Family LTD Partnership

Acres: 51.8



0 440 880
Feet

Future Land Use Plan

The Land Development Plan indicates this area is Suburban. Residential uses typically take the form of neighborhoods with uniform housing types and densities; a mix of housing types and lot sizes is preferred in Suburban locations. Multimodal connectivity between neighborhoods and to nearby centers also should be emphasized. Strategic connections to the off-street multi-use trail network are preferred and open space should be preserved in both active and passive forms within neighborhoods. The density for suburban residential is 2-4 units per acre.

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “BLAIR PLACE”
R-2022-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Blair Place*” further described below property is not consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The proposed project is not consistent with the Future Land Use Plan because the density for the Suburban character area is 2-4 units per acre and this project is at 1.93 units per acre; however, the project is a reasonable use and in the public interest because it will provide a mix of lot sizes in this area. The project is also an age-restricted project, which fits in with the assisted living community across Fowler Secrest Road. Based on this information, the conditions have changed which justify amending the Land Development Plan. As a result of this zoning map amendment request recommendation for approval, the Land Development Plan would be amended to reflect the land use modification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-298-080

Adopted this 1st day of December, 2021

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

**RESOLUTION DENYING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “BLAIR PLACE”
R-2022-XX**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160D-605, the Planning Board does hereby find and determine that the adoption of the zoning map amendment for Conditional District “*Blair Place*” further described below property is not consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as Suburban. The proposed project is not consistent with the Future Land Use Plan because the density for the Suburban character area is 2-4 units per acre and this project is at 1.93 units per acre. The proposed project is not a reasonable use or in the public interest because of the traffic and water runoff concerns expressed by residents in this area.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Monroe recommends adoption of the Resolution Denying Land Development Plan Compliance for property with Union County Tax Parcel Number(s): 09-298-080

Adopted this 1st day of December, 2021

MaryAnn Rasberry, Chair

Attest:

Maryann Brown, Secretary to Planning Board

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2022-XX

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the property located along Fowler Secrest Road identified with parcel ID numbers 09-298-080 from R-40 (Residential- Low Density) to Conditional District (CD) “Blair Place”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 11th day of January, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2022-XX**

Preamble

Pursuant to authority conferred by Chapter 160D-701 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “Blair Place”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 11th day of January, 2022.

Attest:

Marion L. Holloway, Jr., Mayor

Bridgette H. Robinson, City Clerk